

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA

Darrin Williams
Zandra Valandra Williams

Case No. 18-02672-HAC-13

**ORDER GRANTING MOTION TO MODIFY CONFIRMED PLAN AND APPROVING
MODIFIED PLAN**

This matter is before the court on the Debtors' motion to modify pursuant to 11 U.S.C. § 1329. This court has jurisdiction to hear this matter pursuant to 28 U.S.C. § 1334(b) and § 157(a) and (b)(2)(A) and (L). Venue is appropriate as contemplated by 28 U.S.C. § 1408. Appropriate notice was given.

The following is a summary of final plan terms pursuant to the proposed modification and as calculated by the chapter 13 trustee. Except as modified below, the provisions of the plan as originally filed using this district's model plan form remain in effect and are incorporated herein.

1. PAYMENT AND LENGTH OF PLAN

The term of the plan is 60 months. The confirmed plan as modified requires payments to the trustee as follows for the remaining term of the plan:

\$384.00 per month

2. SECURED PRE-CONFIRMATION ADEQUATE PROTECTION PAYMENTS AND PAYMENTS TO LESSORS

<u>CREDITOR</u>	<u>ECF #</u>	<u>STATUS</u>	<u>COLLATERAL DESCRIPTION</u>	<u>MONTHLY PYMT.</u>
Ally Financial	3		2010 Chevy Impala	\$58.00
Freedom Road Financial	5		2016 Autocat 4 wheeler	\$10.00
Farmers Furniture-Monroeville	4	Not Filed	Couch & Chair	\$5.00

3. SECURED POST-CONFIRMATION ALTERNATE MONTHLY PAYMENTS

<u>CREDITOR</u>	<u>ECF #</u>	<u>STATUS</u>	<u>COLLATERAL DESCRIPTION</u>	<u>MONTHLY PYMT.</u>
Ally Financial	3		2010 Chevy Impala	\$58.00
Freedom Road Financial	5		2016 Autocat 4 wheeler	\$10.00
Farmers Furniture-Monroeville	4	Not Filed	Couch & Chair	\$5.00

4. ATTORNEY'S FEES FOR DEBTORS' BANKRUPTCY COUNSEL

<u>DEBTORS' COUNSEL</u>	<u>FEE TO BE PAID THROUGH THE PLAN</u>
Kevin M. Ryan	\$4,000

5. SECURED BY COLLATERAL

<u>CREDITOR</u>	<u>ECF #</u>	<u>STATUS</u>	<u>SECURED CLAIM</u>	<u>COLLATERAL DESCRIPTION</u>	<u>INTEREST RATE</u>	<u>MONTHLY PAYMENT</u>
Ally Financial	3		\$5,800.00	2010 Chevy Impala	6.75 %	\$134.00
Freedom Road Financial	5		\$3,500.00	2016 Autocat 4 wheeler	5.00 %	\$91.79
Farmers Furniture-Monroeville	4	Not Filed	\$250.00	Couch & Chair	0.00 %	\$5.68

PRO RATA CREDITORS

<u>CREDITOR</u>	<u>ECF#</u>	<u>STATUS</u>	<u>SECURED VALUE</u>	<u>COLLATERAL DESCRIPTION</u>
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**6. PREPETITION DOMESTIC SUPPORT OBLIGATIONS (POST-PETITION DSO TO BE PAID DIRECT).
ALTERNATE MONTHLY PAYMENT WILL BE PAID UNTIL DEBTOR ATTORNEY FEES ARE PAID, THEN
PREFERENCE AMOUNT**

<u>CREDITOR</u>	<u>ECF #</u>	<u>STATUS</u>	<u>TOTAL CLAIM</u>	<u>CLAIMANT</u>	<u>ALTERNAT E MONTHLY PAYMENT</u>	<u>PREFERENCE PAYMENT</u>
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**7. CLAIMS TO BE PAID DIRECTLY TO CREDITORS WITH ARREARAGES TO BE PAID THROUGH THE
TRUSTEE****CLAIMS PAID DIRECT**

<u>CREDITOR</u>	<u>ECF #</u>	<u>STATUS</u>	<u>COLLATERAL DESCRIPTION</u>	<u>DIRECT PMT</u>
				\$0.00

ARREARAGE CLAIMS

<u>CREDITOR</u>	<u>ECF #</u>	<u>STATUS</u>	<u>COLLATERAL DESCRIPTION</u>	<u>ARREARAGE</u>
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8. PRIORITY CLAIMS (EXCLUDING DOMESTIC SUPPORT OBLIGATIONS)

<u>CREDITOR</u>	<u>ECF #</u>	<u>STATUS</u>	<u>TYPE OF PRIORITY</u>	<u>CLAIM/SCHEDULE AMOUNT</u>
Internal Revenue Service	2		Taxes	\$2,672.85

9. NONPRIORITY UNSECURED CLAIMS

All allowed nonpriority, unsecured claims to be paid 9.98% of the original claim amount or the amount paid if such amount exceeds the modified distribution contemplated herein.

10. SURRENDERED PROPERTY

<u>CREDITOR</u>	<u>ECF #</u>	<u>STATUS</u>	<u>COLLATERAL DESCRIPTION</u>
ONEMAIN FINANCIAL, INC.	6	Surrendered	2010 Hyundai Sonata

11. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

<u>CREDITOR</u>	<u>ECF #</u>	<u>STATUS</u>	<u>COLLATERAL DESCRIPTION</u>	<u>REJECT/ASSUME</u>
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12. OTHER PLAN PROVISIONS

Refer to plan for complete language for sections 12(a) through 12(c).

(d) Other provisions of the plan not elsewhere described:

The court finds that the plan as modified satisfies the requirements of 11 U.S.C. § 1325. It is thus ORDERED that the Debtors' motion to modify is granted, and the modified plan is approved on the terms summarized above.

Date: 11/21/2019

/s/HENRY A. CALLAWAY
U.S. BANKRUPTCY JUDGE

ORDER PREPARED BY:
Chapter 13 Trustee's Office
Order Granting Motion to Modify Confirmed Plan RPT392